

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 620 – HB 1005

March 23, 2019

SUMMARY OF BILL: Requires a county medical examiner who initially determines a decedent's manner of death to be suicide, to place the death certificate manner of death in pending status and send written notice explaining the medical examiner's reasoning for the suicide determination to the decedent's next of kin within 10 days of making the determination.

Requires a decedent's next of kin who is seeking a reconsideration of the manner of death determination to submit a written request stating the nature and reasons for the reconsideration to the county medical examiner who made the initial manner of death determination within 90 days.

Creates an alternative process for a decedent's next of kin to seek review of the manner of death determination in counties where the chief medical examiner of the regional forensic center acts as the county medical examiner by authorizing next of kin to request further review by an independent forensic pathologist approved by the Tennessee Medical Examiner Advisory Council (Council) and at the sole expense of the next of kin. Clarifies that next of kin do not need to complete mediation prior to seeking judicial relief.

Requires the Council to determine if the forensic pathologist chosen by the next of kin for an independent review of the manner of death holds education and training qualifications that meet or exceed the minimum education and licensing requirements for a county medical examiner in this state within 30 days of the request.

Requires the Council to assign a reconsideration of the manner of death determination to the chief medical examiner of another regional forensic center in this state if the initial manner of death was conducted in a county where the chief medical examiner of the regional forensic center acts as the county medical examiner.

Requires the Council to create a system of distribution of manner of death reconsideration applications, involving an appeal of a manner of death of suicide determination by the chief medical examiner of the regional forensic center acting as the county medical examiner, to ensure that the requests for reconsideration are distributed equitably among the chief medical examiners of the regional forensic centers. Requires the Council to collect information and statistics on manner of death determination reconsiderations conducted pursuant to this section.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact – To the extent the Tennessee Medical Examiner Advisory Council would be required to meet more frequently than quarterly, there would be an increase in state expenditures for reimbursing Council members for additional travel costs. However, the extent and timing of any such impact cannot be determined for they are dependent upon unknown factors.

Assumptions:

- Pursuant to Tenn. Code Ann. § 68-3-502(i)(3), a county medical examiner is required to send written notice to a decedent's next of kin within 30 days on a reconsideration of a manner of death.
- Passage of the proposed legislation would require a county medical examiner who initially determines a decedent's manner of death to be suicide, to place the death certificate manner of death in pending status and send written notice explaining the medical examiner's reasoning for the suicide determination to the decedent's next of kin within 10 days of making the determination.
- Based on information provided by the Department of Health (DOH), there were 1,163 deaths classified as a suicide in this state in 2017.
- Requiring a county medical examiner to provide a written explanation to a decedent's next of kin on every death determined to be a suicide as opposed to only when a reconsideration of a manner of death has been requested will not significantly increase the workload for county medical examiners.
- The proposed legislation could result in an increase in the number of times the Council would be required to meet in order to approve forensic pathologists for independent review requests and to assign chief medical examiners of regional forensic centers for case reviews.
- To the extent the Council is required to meet on a more frequent basis, there would be an increase in state expenditures associated with reimbursing Council members for travel costs; however, any such increase would be dependent upon an increase in requests for reconsideration of death determinations. The extent and timing of which cannot be determined with reasonable certainty.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

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